REPUBLIC OF KENYA

THE KENYA RAILWAY CORPS ACT

An Act of the National Assembly to establish the Kenya Railway Corps as a permanent institution of the Republic; to provide for its mandate, governance, financing, and powers; and for connected purposes.

Draft for Legislative Consideration · 2026

PART I — PRELIMINARY

Section 1 — Short Title and Commencement

(1) This Act may be cited as the Kenya Railway Corps Act, 2026.

(2) This Act shall come into force on a date appointed by the President by notice in the Gazette, being not more than ninety days after the date of assent.

Section 2 — Interpretation

In this Act, unless the context otherwise requires—

- "the Corps" means the Kenya Railway Corps established under Section 3 of this Act;
- "the Corps Commander" means the officer appointed under Section 8 of this Act;
- "the Network" means the standard-gauge rail infrastructure described in the National Rail Vision annexed to this Act as Schedule 1;
- "the Training Command" means the training and education institution of the Corps established under Section 15;
- "knowledge transfer obligation" means the requirement under Section 22 that all foreign technical partners maintain qualified Kenyan counterparts in all technical roles;
- "protected appropriation" means a budget allocation that may not be reduced below the floor established in Section 26 except by constitutional amendment;
- "corridor battalion" means a unit of the Corps assigned to construct and permanently maintain a defined section of the Network.

PART II — ESTABLISHMENT AND MANDATE

Section 3 — Establishment

(1) There is hereby established a body to be known as the Kenya Railway Corps.

(2) The Corps is a permanent institution of the Republic of Kenya. Its existence and continuity shall not be subject to executive reorganisation, ministerial discretion, or changes in government.

(3) The Corps shall be a body corporate with perpetual succession, a common seal, and capacity to sue and be sued in its own name.

(4) The Corps shall not be classified as a government department, a state corporation, or a parastatal body. It shall be governed exclusively by this Act and by regulations made thereunder.

Section 4 — National Mandate

The mandate of the Kenya Railway Corps is:

1. To plan, survey, design, construct, and commission the National Rail Network as described in Schedule 1 to this Act;
2. To operate, maintain, and upgrade the Network in perpetuity as a public infrastructure asset of the Republic;
3. To recruit, train, and develop a domestic rail engineering and operations workforce sufficient to fulfil the mandate under subsections (1) and (2) without permanent dependence on foreign technical personnel;
4. To establish and operate manufacturing, assembly, and maintenance facilities capable of producing and servicing rolling stock and infrastructure components within Kenya;
5. To negotiate and manage cross-border rail operating agreements with neighbouring states on behalf of the Republic, in coordination with the Ministry of Foreign Affairs;
6. To publish and maintain all technical standards, operational protocols, safety systems, and maintenance manuals governing the Network, ensuring such intellectual property is permanently vested in the Corps and through it in the Republic.

Section 5 — Rail Autonomy Threshold

(1) The Corps shall achieve Rail Autonomy within eight years of the commencement of this Act.

(2) For the purposes of this Act, Rail Autonomy means the condition in which—

- not less than eighty percent of the Network described in Schedule 1 is operational;
- the Corps possesses sufficient trained domestic personnel to operate and maintain the entire Network without reliance on foreign technical staff in any category of role;
- the Corps manufacturing facility is capable of assembling rolling stock and fabricating primary track components within Kenya;
- all operational, technical, and maintenance intellectual property is held by the Corps in accordance with Section 21; and
- no foreign entity holds operational control over any part of the Network or any associated port infrastructure as a condition of financing.

(3) The Corps Commander shall report annually to the National Assembly on progress toward the Rail Autonomy Threshold, with quarterly public progress updates published on the Corps' official digital platform.

PART III — GOVERNANCE

Section 6 — Command Structure

The Corps shall be organised into the following principal divisions:

- The Engineering Division, responsible for survey, design, signalling, and structural engineering;

- The Construction Division, organised into Corridor Battalions each responsible for a defined section of the Network;
- The Maintenance Division, responsible for the permanent upkeep of all completed sections of the Network;
- The Manufacturing Wing, responsible for rolling stock assembly, component fabrication, and technical supply;
- The Training Command, responsible for recruit training, technical education, and knowledge transfer management.

Section 7 — Corridor Battalions

(1) The Corps Commander shall, by General Order, establish a Corridor Battalion for each defined section of the Network prior to commencement of construction on that section.

(2) Each Corridor Battalion shall have a designated beginning point, terminus, and permanent maintenance responsibility for its assigned section upon completion.

(3) In recruiting for each Corridor Battalion, the Corps shall give priority to residents of the counties through which that corridor passes. Not less than sixty percent of each Corridor Battalion's personnel shall be recruited from corridor-adjacent counties.

(4) The purpose of the priority under subsection (3) is to ensure that communities whose land the Network crosses are represented in the Corps that builds and maintains the Network.

Section 8 — The Corps Commander

(1) The Corps shall be commanded by the Corps Commander, who shall be the chief executive and accounting officer of the Corps.

(2) The Corps Commander shall be appointed by the President, subject to confirmation by a two-thirds majority of all members of the National Assembly.

(3) The Corps Commander shall serve a single non-renewable term of eight years and shall not be removed from office except—

- upon a resolution supported by a two-thirds majority of all members of the National Assembly; or
- upon conviction of a criminal offence by a court of competent jurisdiction.

(4) The Corps Commander shall not be subject to direction by any minister or by the Cabinet in respect of the technical, operational, or procurement decisions of the Corps. The Corps Commander shall be accountable to the National Assembly through the relevant Committee.

(5) The Corps Commander shall hold the rank of General and shall be accorded the precedence and protocol of a service chief of the Kenya Defence Forces.

PART IV — PERSONNEL AND TRAINING

Section 9 — Enlistment

(1) Enlistment in the Kenya Railway Corps shall be open to all citizens of Kenya aged eighteen years and above who meet the physical and educational requirements prescribed by the Corps Commander by regulation.

(2) The Corps shall not discriminate in enlistment on grounds of ethnicity, religion, gender, county of origin, or political affiliation. The composition of the Corps shall, as nearly as practicable, reflect the demographic diversity of the Republic.

Section 10 — Rank Structure

The Corps shall maintain the following rank structure:

RANK	ENTRY ROUTE	COMPETENCY CERTIFIED
Recruit	School leaver, 18+	Construction basics, surveying, safety
Sapper	6 months service	Track laying, welding, earthworks
Corporal	18 months service	Signalling, electrical, bridge works
Sergeant	3 years + exam	Section leader, maintenance certified
Lieutenant	Polytechnic diploma	Track engineering, station operations
Captain	Engineering degree	Project engineer, battalion duties
Major	Senior engineer	Battalion command, corridor responsibility
Colonel	Chief Engineer	Division head
General	Parliamentary confirmed	Corps Commander

(2) Promotion shall be conditional upon demonstrated competency at the prescribed standard for the rank sought. Time-served entitlement shall not apply to any promotion above the rank of Corporal.

Section 11 — The Training Command

(1) The Training Command shall operate training facilities at not fewer than four locations distributed across the Network, including facilities at Eldoret, Mombasa, Kisumu, and Isiolo.

(2) The Training Command shall offer programmes at the following levels: basic recruit training; certified technical trades; diploma engineering programmes (in partnership with technical universities); degree-level engineering and operations; and senior leadership education at the Kenya Railway Corps Staff College.

(3) All technical training programmes shall be accredited by the relevant national accreditation authority, ensuring that qualifications earned in the Corps are recognised in the broader economy.

PART V — LAND AND COMMUNITY RIGHTS

Section 12 — Land Acquisition Principles

(1) The acquisition of land for the Network shall be governed by the Land Acquisition Act and the Community Land Act, subject to the additional requirements of this section.

(2) No compulsory acquisition of community land shall be initiated for any corridor until—

- a Community Rail Agreement has been concluded with the affected community in accordance with Section 13;
- the Corps has commenced recruitment from that community for the relevant Corridor Battalion; and
- the corridor community equity mechanism under Section 14 has been established and its terms communicated to the community.

Section 13 — Community Rail Agreements

(1) Before commencing land acquisition in any community land area, the Corps shall negotiate a Community Rail Agreement with the relevant community, which shall include—

- fair compensation for land acquired at not less than current market value plus a development premium reflecting anticipated land value appreciation;
- employment and recruitment commitments under Section 7(3);
- the community equity stake established under Section 14; and
- commitments regarding station, depot, or freight infrastructure to be constructed within or adjacent to the community's territory.

(2) A Community Rail Agreement shall be binding on the Corps and on successor governments and shall not be varied without the consent of the affected community.

Section 14 — Community Equity Mechanism

(1) Each community whose land is crossed by the Network shall receive a permanent equity interest in the infrastructure constructed on or adjacent to their land, in the form of a Community Rail Stake.

(2) The Community Rail Stake shall entitle the holder community to—

- a defined share of the revenue generated by the nearest station, freight depot, or logistics facility, determined by the scale of land contributed;
- representation on the relevant Corridor Maintenance Committee; and
- preferential access to commercial tenancies at Corps infrastructure located within the community's territory.

(3) The Community Rail Stake shall be held by a Community Rail Trust established for each affected community, governed by elected community representatives, and audited annually by the Auditor-General.

PART VI — PROCUREMENT AND INTEGRITY

Section 15 — Procurement Authority

(1) The Corps shall maintain an independent Procurement Authority with its own legal staff, technical evaluators, and audit function, separate from the national public procurement system.

(2) All Corps contracts exceeding five hundred million shillings shall be subject to open international competitive tender, published in full on the Corps' public digital platform before award.

Section 16 — Real-Time Expenditure Transparency

(1) The Corps shall publish, on a publicly accessible digital platform, within forty-eight hours of execution—

- the full text of every contract above one hundred million shillings;
- every payment instruction above ten million shillings, including recipient, amount, and contract reference;
- every variation order above fifty million shillings, including technical justification; and
- quarterly progress reports against Schedule 1 milestones.

(2) The transparency platform shall be maintained in a form accessible to ordinary citizens without specialised knowledge, including plain-language summaries of all major contracts.

Section 17 — Corruption Penalties

(1) A person who corruptly obtains, assists in obtaining, or facilitates the obtaining of a Corps contract or any benefit thereunder commits an offence and is liable upon conviction to—

- imprisonment for not less than fifteen years without the option of a fine;
- confiscation of all assets traceable to the corrupt benefit; and
- permanent disqualification from any public office, public contract, or Corps employment.

(2) A corporate entity found guilty of corruption in a Corps procurement process shall be permanently debarred from all public procurement in Kenya.

(3) A Corps officer who fails to report known or suspected corruption in Corps procurement commits an offence and is liable to a term of imprisonment not exceeding five years.

Section 18 — Knowledge Transfer Obligation

(1) Every contract with a foreign technical partner for construction, engineering, or systems installation shall include a mandatory knowledge transfer schedule, specifying—

- the technical roles to be performed by foreign personnel;
- the Kenyan Corps counterpart assigned to each such role; and
- the competency standard to be achieved by the Kenyan counterpart before the contract closes.

(2) No foreign technical contract shall be concluded, renewed, or extended unless the Corps Commander certifies that the knowledge transfer obligations of any preceding contract with that partner have been fulfilled.

(3) All technical drawings, specifications, operational manuals, software source code, and system documentation produced under any Corps contract are the permanent property of the Corps and through it the Republic of Kenya.

PART VII — FINANCING

Section 19 — Protected Appropriation

(1) The National Assembly shall appropriate to the Corps, in each financial year, an amount not less than one percent of the previous year's Gross Domestic Product as certified by the Kenya National Bureau of Statistics.

(2) The appropriation under subsection (1) is a protected appropriation and may not be reduced below the floor established therein except by a constitutional amendment approved by a referendum.

(3) The Corps may, in addition to the protected appropriation, raise financing through—

- the issuance of Kenya Railway Infrastructure Bonds in domestic and international markets;
- bilateral and multilateral financing agreements, provided no such agreement includes operational control provisions inconsistent with Section 4(6) of this Act;
- freight tariff revenues, port throughput fees, and passenger revenues generated by the Network; and
- commercial revenues from land value capture, fibre right-of-way leases, and depot commercial activities.

Section 20 — Financing Conditions

(1) No financing agreement for the Network shall be entered into if it contains any provision that —

- grants any foreign entity operational control over any part of the Network;
- pledges port infrastructure, customs revenues, or sovereign assets as collateral; or
- restricts Kenya's ability to engage alternative contractors, suppliers, or technical partners.

(2) The Corps Commander shall lay before the National Assembly the full text of any proposed financing agreement above one billion United States dollars before it is executed.

PART VIII — GENERAL

Section 21 — Motto and Identity

(1) The motto of the Kenya Railway Corps shall be: Ombi. Ujuzi. Uhuru. — Service. Knowledge. Sovereignty.

(2) The Corps shall maintain a distinctive uniform, flag, and institutional identity befitting a permanent institution of the Republic.

Section 22 — Relationship with East African Partners

(1) The Corps shall, at the direction of the Corps Commander and in coordination with the Ministry of Foreign Affairs, negotiate cross-border operating agreements with the railway institutions of Uganda, Tanzania, Ethiopia, and South Sudan.

(2) Such agreements shall adopt Kenya's standard gauge specifications, safety protocols, and crew certification standards as the baseline for cross-border operations, subject to mutual agreement with partner states.

(3) The Corps shall make available its training facilities, technical standards, and operational protocols to the railway institutions of partner states, in support of East African regional integration.

Section 23 — Savings and Transitional

(1) The Kenya Railways Corporation Act and the Standard Gauge Railway Act shall continue in force, save that the operational functions of those institutions in respect of the Network shall be transferred to the Corps on a date appointed by the Corps Commander by notice in the Gazette.

SCHEDULE 1 — THE NATIONAL RAIL NETWORK

[Schedule 1 incorporates the corridor specifications, kilometre distances, and phasing timetable set out in the Kenya Railway Corps National Rail Vision, 2026, as updated from time to time by resolution of the National Assembly.]